

Also, petition of Herman Wile & Co., of Buffalo, N. Y., against Schedule K of the tariff bill (H. R. 1438), as per the Senate amendment—to the Committee on Ways and Means.

Also, petition of American hosiery and underwear manufacturers, against reduction of duty on hosiery—to the Committee on Ways and Means.

Also, petition of the Peck, Stowe & Wilcox Company, of New York, against corporation-tax amendment to H. R. 1438—to the Committee on Ways and Means.

Also, petition of New England Shoe and Leather Association, of Boston, Mass., for free hides—to the Committee on Ways and Means.

Also, petition of New York Mercantile Exchange, favoring a material reduction of the duty on butter, cheese, and eggs—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Cigar Makers' International Union of America, against free cigars and tobacco from the Philippines—to the Committee on Ways and Means.

Also, petition of American builders of machines for paper making, against reduction of tariff on paper and wood pulp—to the Committee on Ways and Means.

Also, petition of American hosiery and underwear manufacturers, against reduction of tariff on hosiery—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Charles E. Sheldon and others, of Rockford, Ill., favoring exemption of holding companies from proposed corporation tax—to the Committee on Ways and Means.

Also, petition of the United States Annuity and Life Insurance Company, for exemption of insurance companies from corporation tax—to the Committee on Ways and Means.

Also, petition of Chicago Clearing House Association, to exempt banks from corporation tax—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Merchants' Marine League, favoring appropriation in aid of the merchant marine of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Snyder & Black and Jacob Rosenberger, of New York City, favoring the House rate of duty on lithographic products, etc.—to the Committee on Ways and Means.

Also, petition of New England Hide and Leather Association, for free hides—to the Committee on Ways and Means.

Also, petitions of the Nassau Bank, the Peck, Stowe & Wilcox Company, and the Olin J. Stephens Company (Incorporated), all of the State of New York, against the corporation-tax amendment to H. R. 1438—to the Committee on Ways and Means.

Also, petition of president and officers of the Lancaster County (Pa.) Growers' Association, against free tobacco and cigars from the Philippines—to the Committee on Ways and Means.

Also, petition of American hosiery and underwear manufacturers, against reduction of duty on hosiery—to the Committee on Ways and Means.

Also, petition of New York Mercantile Exchange, for material reduction of duty on butter, cheese, and eggs—to the Committee on Ways and Means.

By Mr. LOUD: Petition of George W. Keeney and members of Sterling Grange, of Sterling, Mich., and John E. Driscoll and others, of West Branch, Mich., for creation of a national highways commission—to the Committee on Agriculture.

By Mr. LOWDEN: Petition of citizens of Sublette, Orangeville, and Thomson, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. MANN: Petition of New York Mercantile Exchange, for decrease of duty on butter, cheese, and eggs—to the Committee on Ways and Means.

Also, petition of Clearing House Association of Chicago, favoring amendment to H. R. 1438 exempting incorporated banks from taxation—to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Petition of A. S. Getteman, president Public Educational Association of Washington, D. C., favoring an appropriation for treatment of stray cats—to the Committee on Appropriations.

By Mr. OLDFIELD: Paper to accompany bill for relief of Benjamin J. Matteson—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: Paper to accompany bill for relief of Gaines C. Smith—to the Committee on Pensions.

By Mr. SULZER: Petition of New York Mercantile Exchange, favoring material reduction of tariff on butter, cheese, and eggs—to the Committee on Ways and Means.

Also, petition of Cigar Makers' International Union of America, against free tobacco and cigars from the Philippines—to the Committee on Ways and Means.

Also, petition of Arthur T. Lesch and others, favoring the House schedule relative to lithographic products in H. R. 1438—to the Committee on Ways and Means.

SENATE.

TUESDAY, July 20, 1909.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of the proceedings of Friday last was read and approved.

UNIVERSAL POSTAL UNION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Postmaster-General submitting an estimate of appropriation of \$1,500 to enable the Post-Office Department to be properly represented at the unveiling at Berne, Switzerland, in the year 1909, of the monument erected by the countries of the Postal Union in commemoration of the founding of the Universal Postal Union (S. Doc. No. 133), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

HEATING AND LIGHTING, NAVAL ACADEMY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting a supplemental estimate of appropriation in the sum of \$10,000 for heating and lighting, Naval Academy, for the fiscal year ending June 30, 1910 (S. Doc. No. 132), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

LAWS OF HAWAII.

The VICE-PRESIDENT laid before the Senate a communication from the secretary of state of the Territory of Hawaii, transmitting one copy each of the session laws, journal of the senate, and journal of the house of representatives of the fifth regular session of the legislature of the Territory of Hawaii, which, with the accompanying document, was referred to the Committee on Pacific Islands and Porto Rico.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 11572) to authorize the construction, maintenance, and operation of various bridges across and over certain navigable waters, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. DICK presented a memorial of sundry citizens of Akron, Ohio, indorsing the action of the Senate in protecting the lemon industry of the United States, which was ordered to lie on the table.

He also presented a memorial of sundry cigar manufacturers, of Dayton, Ohio, remonstrating against any advance of the internal-revenue tax upon cigars ranging below the wholesale price of \$75 per thousand, which was ordered to lie on the table.

He also presented resolutions adopted by the Board of Trade of Columbus, Ohio, calling attention to the injurious effect the proposed tax on corporations would have in that State, and remonstrating against the adoption of such a tax, which were ordered to lie on the table.

REPORT OF A COMMITTEE.

Mr. BURTON, from the Committee on Commerce, to whom was referred the bill (H. R. 11579) to amend an act relative to the erection of a lock and dam in aid of navigation in the Tennessee River, reported it with an amendment and submitted a report (No. 17) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GAMBLE:

A bill (S. 2945) to provide for the purchase of a site and the erection of a public building thereon at Bellefourche, in the State of South Dakota; to the Committee on Public Buildings and Grounds.

By Mr. ELKINS (for Mr. Scott):

A bill (S. 2946) to authorize the Parkersburg Bridge Company to construct a bridge across the Ohio River connecting Parkersburg, W. Va., with Belpre, Ohio; to the Committee on Commerce.

By Mr. ELKINS:

A bill (S. 2947) for the relief of heirs or estate of James Watson, deceased; to the Committee on Claims.

By Mr. BRADLEY:

(By request) a bill (S. 2948) for the relief of the county of Nelson, State of Kentucky; to the Committee on Claims.

A bill (S. 2949) granting an increase of pension to Daniel B. Morris; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 2950) granting an increase of pension to David E. Jones (with accompanying paper); to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2951) for the relief of the estate of Stephen Herren (with accompanying paper); and

A bill (S. 2952) for the relief of the estate of Stephen Herren; to the Committee on Claims.

By Mr. BEVERIDGE:

A bill (S. 2953) granting an increase of pension to Peter Harmon (with accompanying papers); and

A bill (S. 2954) granting an increase of pension to Charles N. Taylor (with accompanying papers); to the Committee on Pensions.

HOUSE BILL REFERRED.

H. R. 11572. An act to authorize the construction, maintenance, and operation of various bridges across and over certain navigable waters, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

BRIDGES OVER NAVIGABLE WATERS.

Mr. CLAPP submitted an amendment intended to be proposed by him to the bill (H. R. 11572) to authorize the construction, maintenance, and operation of various bridges across and over certain navigable waters, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

TAXES ON INCOMES.

Mr. BROWN. I submit a concurrent resolution for which I ask present consideration.

The concurrent resolution (S. C. Res. 6) was read, as follows:

Senate concurrent resolution 6.

Resolved by the Senate (the House of Representatives concurring). That the President of the United States be requested to transmit forthwith to the executives of the several States of the United States copies of the article of amendment proposed by Congress to the state legislatures to amend the Constitution of the United States, passed July 12, 1909, respecting the power of Congress to lay and collect taxes on incomes, to the end that the said States may proceed to act upon the said article of amendment; and that he request the executive of each State that may ratify said amendment to transmit to the Secretary of State a certified copy of such ratification.

The VICE-PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. KEAN. Mr. President, I call the attention of the Senate to the unanimous-consent agreement under which we are meeting. I should like to have it read.

Mr. BROWN. I will say to the Senator from New Jersey that this is not legislation. It is simply the formal and usual resolution calling upon the Executive to submit to the several States the joint resolution proposing an amendment of the Constitution.

Mr. BACON. I should like to suggest to the Senator from New Jersey that the agreement to which he refers can not possibly relate to business which the Senate has already taken up. It might relate to it if it were an original proposition, and if the question were whether we should proceed to a matter of legislation; but the Senate having passed the joint resolution, everything necessary to effectuate it is in order and is not in contravention of the agreement previously made.

Mr. SMOOT. I call the Senator's attention to the agreement, which reads:

It is agreed by unanimous consent that the Senate will adjourn from time to time for three days at a time until the conference report is ready upon the bill (H. R. 1438) "to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," and that no business shall be transacted at the sessions of the Senate prior to the report of the conference committee upon the said bill, other than the transaction of the routine morning business and the consideration of the deficiency appropriation bill now pending in the House of Representatives.

Mr. BROWN. This is routine morning business, so that the agreement would not apply to it. It relates to a formal proceeding made necessary by the action of Congress.

The VICE-PRESIDENT. If it is routine morning business, it can not be considered this morning in the face of an objection. If an objection is made, it will have to go over.

Mr. BROWN. I have not heard any objection made.

Mr. KEAN. Under the unanimous-consent agreement the concurrent resolution is not in order.

The VICE-PRESIDENT. The Senator from New Jersey objects, and the concurrent resolution goes over.

Mr. STONE. At the last meeting of the Senate the Senator

from Virginia [Mr. MARTIN] reported a bridge bill and asked unanimous consent to have it passed. The Senator from Massachusetts [Mr. LODGE] called attention to the unanimous-consent agreement, and the Chair ruled that it was not in order to put the bill on its passage.

Mr. BACON. I suggest to the Senator from New Jersey that if his contention is correct, it would not be in order even for the Chair to lay before the Senate a joint resolution requiring his signature. The unanimous-consent agreement can not possibly relate to doing whatever may be necessary to effectuate what has already been determined upon by Congress. The two Houses passed a joint resolution. It is not proposed to add to that joint resolution in any particular, but simply to make it effective. It is not an independent piece of legislation; it is not an independent proposition; and it strikes me that it is no more objectionable to the unanimous-consent agreement than would be the laying of a joint resolution before the Senate with the statement on the part of the Chair that the joint resolution had received the signature of the Vice-President.

The VICE-PRESIDENT. The Chair has not passed upon that question. The Chair has simply ruled that under an objection the resolution must go over in any event.

Mr. CULBERSON. I invite the attention of the Chair to the fact that the Senator from New Jersey did not object generally under the rule, but he put it upon the ground that the resolution is contrary to the unanimous-consent agreement.

The VICE-PRESIDENT. The Chair thinks the objection controls, no matter what ground leads the Senator to object. The concurrent resolution goes over.

RETIREMENT OF EMPLOYEES.

Mr. CUMMINS. I ask unanimous consent that an order be made for a reprint, for the use of the Committee on Civil Service and Retrenchment and the Senate, of the bill (S. 1944) for the retirement of employees in the classified civil service.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Iowa?

Mr. SMOOT. I should like to ask the Senator from Iowa the cost, or the approximate cost, of the printing?

Mr. CUMMINS. I do not know.

Mr. SMOOT. Of course, we have already given notice that we shall object to any documents being printed unless the matter is referred to the Committee on Printing.

Mr. CUMMINS. I am perfectly willing that it shall be referred to the Committee on Printing.

Mr. SMOOT. That would be the best course. I will assure the Senator that we shall take the matter under consideration promptly.

Mr. HEYBURN. I have been absent one meeting, and I should like to inquire who has given notice that they will require matters presented by Senators to take a certain course. The Senator says "we have already given notice." I am curious to know who gave the notice.

Mr. SMOOT. The Committee on Printing have these matters in charge, and they decided that the proper course to pursue is to have all requests for printing referred to the Committee on Printing.

Mr. HEYBURN. It strikes me that the Committee on Printing might very well take notice of the rights and privileges of the Senate and of Senators in this matter. The rules say what shall go to the committee and what shall not. The Committee on Printing are not standing at the gate here with a flaming sword to see what shall go through.

Mr. SMOOT. There is no such purpose, I assure the Senator, on the part of the Committee on Printing, but simply, as all expenses of printing are to be passed upon by that committee—

Mr. HEYBURN. My objection is to the use of the word "we;" that "we" have done this and "we" have done that. I am not inclined to be factious, but it is a bad habit to get into. We are all "we's" here.

Mr. SMOOT. That may be true; but—

Mr. KEAN. I think the Senator from Utah does not understand the request of the Senator from Iowa. It is to have a reprint of a bill.

Mr. SMOOT. Then I will withdraw any objection to it.

Mr. KEAN. It is not a request for the printing of a document, but merely for the reprint of a bill.

Mr. SMOOT. I have no objection to that.

There being no objection, the order was reduced to writing, and agreed to, as follows:

Ordered, That there be printed 2,600 additional copies of the bill (S. 1944) for the retirement of employees in the classified civil service, 1,000 copies for the use of the Committee on Civil Service and Retrenchment and 1,000 copies for the use of the Senate document room.

STEPHENSON GRAND ARMY MEMORIAL.

Mr. WETMORE submitted the following concurrent resolution (S. C. Res. 7), which was referred to the Committee on Printing:

Senate concurrent resolution 7.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound, in the form of eulogies, including illustration, 14,600 copies of the proceedings on the occasion of the dedication of the Stephenson Grand Army Memorial, in Washington, July 3, 1909, of which 4,000 shall be for the use of the Senate, 8,000 for the use of the House of Representatives, and 2,000 to be delivered to the Stephenson Grand Army Memorial committee.

ADJOURNMENT TO FRIDAY.

Mr. KEAN. I move that when the Senate adjourns to-day it be to meet on Friday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 12 o'clock and 25 minutes p. m.) the Senate adjourned until Friday, July 23, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 20, 1909.

PROMOTIONS IN THE NAVY.

The following-named commanders to be commanders in the navy from the dates set opposite their names, to correct the dates from which they take rank as previously confirmed:

William W. Gilmer, January 23, 1908;
Robert E. Coontz, January 7, 1909;
William H. G. Bullard, February 1, 1909;
Webster A. Edgar, February 25, 1909;
Joseph W. Oman, March 2, 1909;
Philip Andrews, March 11, 1909; and
Harold K. Hines, May 27, 1909.

Commander Francis H. Sherman to be a captain in the navy from the 16th day of June, 1909, vice Capt. Samuel W. B. Diehl, deceased.

Lieut. Henry C. Mustin to be a lieutenant-commander in the navy from the 24th day of June, 1909, vice Lieut. Commander Charles H. Hayes, promoted.

Lieut. Commander Benton C. Decker to be a commander in the navy from the 1st day of July, 1909, vice Commander Albert G. Winterhalter, promoted.

Lieut. Roland I. Curtin to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Mark L. Bristol, promoted.

Lieut. Needham L. Jones to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Archibald H. Scales, promoted.

Lieut. Thomas C. Hart to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Thomas Washington, promoted.

The following-named machinists to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1909:

George O. Littlefield,
Otto Johnson,
Robert J. Vickery, and
Llewellyn H. Wentworth.

POSTMASTERS.

CONNECTICUT.

William Holmes to be postmaster at Shelton, Conn., in place of William Holmes. Incumbent's commission expired January 5, 1908.

GEORGIA.

Sigfried Schwarzwelss to be postmaster at Waynesboro, Ga., in place of Thomas Quinney. Incumbent's commission expired January 30, 1909.

ILLINOIS.

Mary A. Paine to be postmaster at Xenia, Ill., in place of Frank L. Paine, deceased.

MISSISSIPPI.

W. E. Clark to be postmaster at Gulfport, Miss., in place of Samuel R. Braselton. Incumbent's commission expired January 19, 1909.

H. W. Durrant to be postmaster at Coffeeville, Miss., in place of William A. Carr, removed.

MISSOURI.

James R. Dyer to be postmaster at Ash Grove, Mo., in place of James R. Dyer. Incumbent's commission expired March 1, 1909.

NEW JERSEY.

Ralph G. Collins to be postmaster at Barnegat, N. J., in place of Ralph M. Collins, resigned.

George F. Renear to be postmaster at Ocean Grove, N. J., in place of William H. Hamilton, deceased.

NEW YORK.

Frank G. Fuller to be postmaster at Broadalbin, N. Y., in place of Addison A. Gardner, deceased.

NORTH DAKOTA.

John King to be postmaster at Donnybrook, N. Dak., in place of Floyd C. White, resigned.

John McGauvran to be postmaster at Langdon, N. Dak., in place of John McGauvran. Incumbent's commission expired December 10, 1906.

William Simpson to be postmaster at Mandan, N. Dak., in place of Thomas Wilkinson. Incumbent's commission expired December 12, 1908.

OHIO.

George P. Bumgarner to be postmaster at St. Clairsville, Ohio, in place of Chandler W. Carroll, deceased.

William L. Maddox to be postmaster at Ripley, Ohio, in place of William L. Maddox. Incumbent's commission expired March 3, 1909.

William R. Thomas to be postmaster at Niles, Ohio, in place of Dennis S. De Garmo, resigned.

PENNSYLVANIA.

Cameron Boak to be postmaster at Hughesville, Pa., in place of Charles W. Bugh. Incumbent's commission expired December 13, 1908.

John H. Dunn to be postmaster at Parkesburg, Pa., in place of John H. Dunn. Incumbent's commission expired January 26, 1907.

T. Dean Ross to be postmaster at Williamsburg, Pa., in place of Samuel Sparr, removed.

Annie K. Stadden to be postmaster at Glen Campbell, Pa., in place of David I. Stadden, deceased.

TEXAS.

Alexander McCullough to be postmaster at Sourlake, Tex., in place of Thomas J. Stevens, resigned.

Robert B. Rentfro to be postmaster at Brownsville, Tex., in place of Joel B. Sharpe. Incumbent's commission expired January 27, 1908.

H. Schmidt to be postmaster at Bremond, Tex., in place of J. J. Staskey, not commissioned.

VIRGINIA.

G. W. Todd to be postmaster at Galax, Va. Office became presidential April 1, 1908.

WASHINGTON.

J. M. Parrish to be postmaster at Wilbur, Wash., in place of Charles A. Phillips, removed.

WEST VIRGINIA.

Benjamin O. Holland to be postmaster at Logan, W. Va., in place of Benjamin O. Holland. Incumbent's commission expired January 9, 1909.

WISCONSIN.

Amanda Price to be postmaster at Wonewoc, Wis., in place of Richard Price, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 20, 1909.

ASSISTANT SURGEONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Lawrence Kolb to be an assistant surgeon in the Public Health and Marine-Hospital Service.

Richard H. Lyon to be an assistant surgeon in the Public Health and Marine-Hospital Service.

James P. Leake to be an assistant surgeon in the Public Health and Marine-Hospital Service.

Hermon E. Hasseltine to be an assistant surgeon in the Public Health and Marine-Hospital Service.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. William P. Platt to be captain.

First Lieut. Edward M. Shinkle to be captain.

First Lieut. William R. Bettison to be captain.
 Second Lieut. Robert R. Welshimer to be first lieutenant.
 Second Lieut. William W. Hicks to be first lieutenant.
 Second Lieut. Eugene B. Walker to be first lieutenant.
 Second Lieut. Karl F. Baldwin to be first lieutenant.
 Second Lieut. Charles K. Wing to be first lieutenant.

To be second lieutenants.

Edward Cornelius Hanford.
 William Charles Koenig.
 Harry Walter Stephenson.

MEDICAL CORPS.

To be captains after three years' service.

First Lieut. Albert G. Love.
 First Lieut. Harold W. Jones.
 First Lieut. Omar W. Pinkston.
 First Lieut. Mathew A. Reasoner.

CAVALRY ARM.

First Lieut. Dorsey Cullen to be captain.
 First Lieut. Louis R. Ball to be captain.
 Second Lieut. William F. Wheatley to be first lieutenant.
 Capt. Ernest V. Smith to be major.

PROMOTIONS IN THE NAVY.

Passed Asst. Surg. Samuel S. Rodman to be a surgeon.
 The following-named assistant surgeons to be passed assistant surgeons:

Ernest O. J. Eyttinge,
 Curtis B. Munger,
 Fletcher H. Brooks,
 Edward U. Reed,
 Edgar L. Woods, and
 Ausey H. Robnett.

The following-named paymasters with the rank of lieutenant to be paymasters with the rank of lieutenant-commander:

Theodore J. Arms,
 George R. Venable,
 Hugh R. Insley,
 George M. Stackhouse,
 Grey Skipwith,
 Trevor W. Leutze,
 McGill R. Goldsborough,
 David V. Chadwick, and
 Eugene C. Tobey.

The following-named naval constructors with the rank of lieutenant to be naval constructors with the rank of lieutenant-commander:

William G. Du Bose, and
 Ernest F. Eggert.

POSTMASTERS.

GEORGIA.

William H. Blitch, at Statesboro, Ga.

MISSISSIPPI.

W. E. Clark, at Gulfport, Miss.

NORTH DAKOTA.

John King, at Donnybrook, N. Dak.
 John McGauvran, at Langdon, N. Dak.
 Henry W. O'Dell, at Reeder, N. Dak.
 William Simpson, at Mandan, N. Dak.

HOUSE OF REPRESENTATIVES.

TUESDAY, July 20, 1909.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

PREMIUMS OF BONDING COMPANIES.

Mr. SMITH of Iowa. Mr. Speaker, by direction of the Committee on Rules, I report the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 90.

Resolved, That it shall be in order to offer the following as an amendment to the bill (H. R. 11570) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1909, and for other purposes:

"Until otherwise provided by law, no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost in excess of the rate of premium charged for a like bond during the calendar year 1908, except that in any particular case or class of cases if the Secretary of the Treasury shall determine that the maximum rate of premium charged during the calendar year 1908 was less than a reasonable rate, he may, in his

discretion, direct the acceptance of such bond or class of bonds, at premium rates exceeding not more than 50 per cent those charged during said calendar year: *Provided*, That hereafter the United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States."

Mr. SMITH of Iowa. Mr. Speaker, this rule, if it should be adopted, will provide, in substance, that it shall be in order to offer an amendment to the pending bill that no official bond shall be accepted by the Government where the premium charged is greater than the like premium charged during the year 1908, except that upon a showing as to a given bond or class of bonds that the premiums of 1908 were inadequate, the Secretary of the Treasury may authorize an increase in the premium of 50 per cent over the amount charged in 1908, and that hereafter the Government shall not pay premiums upon bonds of any of its officers.

Generally speaking, it has never been the policy of the Government to pay bonding companies for becoming sureties for government employees, but in the Indian bill for 1909 there was this provision:

That hereafter the expense of procuring the official bond of any agent, superintendent, or other disbursing officer of the Indian Service shall be paid by the United States.

Up to that time it had never been the policy of this Government to pay anybody to become a surety on the bond of a government official. The law has required certain government officials to give bonds. They have always been at liberty to give either natural persons or bonding companies as sureties, but a strange exception was made in favor of these officers of the Indian Bureau, and a provision not expressly providing for paying the premiums upon the bonds, but providing for the payment of the expense of giving the bonds was inserted in the Indian appropriation bill, which provision has been interpreted to include the payment of the premiums as part of the expense. No specific appropriation was made for that purpose, but out of such funds as are available the department has been able to set aside about \$21,000 for the payment of such premiums. The average loss for many years in the branch for which this provision was made has been \$1,000 a year, and thus we have been providing for more than a year at the rate of \$21,000 a year for premiums upon bonds where the average loss is \$1,000 a year. No reason has been assigned why we should discriminate between the employees of the Indian Service and every other branch of the public service, and pay the premiums upon the bonds of the employees in the Indian Service and refuse to pay the premiums upon the bonds of any other government officials.

Mr. BURKE of South Dakota. Mr. Speaker, will the gentleman yield for a question?

Mr. SMITH of Iowa. Certainly.

Mr. BURKE of South Dakota. The gentleman says no reason has been assigned for making this exception. How is it, then, that the law was enacted which the gentleman has referred to?

Mr. SMITH of Iowa. I shall not attempt to explain how this law passed through Congress. Like many other laws, a good many Members did not know it passed at all. I am not going to discuss in detail that question, but I challenge any man to name a reason why the Government should pay the premiums upon the bonds of the agents of the Indian Office and refuse to pay the premiums upon the bonds of any other officer of the United States.

Mr. BURKE of South Dakota. If the gentleman will give me an opportunity sometime during this debate, I will be very glad to do that.

Mr. SMITH of Iowa. The gentleman will have abundant opportunity before the debate on the amendment closes.

Mr. BURKE of South Dakota. I will give the gentleman a reason.

Mr. SMITH of Iowa. And I shall be delighted to hear the gentleman's reason. Now, Mr. Speaker, immediately these bonding companies increased their rates to such a degree that although the premiums set apart by the Government were twenty times the amount of the average losses, yet it became necessary for the Indian Bureau to reduce the penalties through that service in order to be able to pay the premiums upon the bonds. And that is not all. There are about 18 or 20 of these surety companies that are authorized to do business—

Mr. LIVINGSTON. Twenty-two, I think.

Mr. SMITH of Iowa. Eighteen or twenty was stated by Mr. J. K. Bartlett, of the United States Fidelity and Guaranty Company, in his testimony. Seventeen of them met, and I shall show, without comparison of any data worthy of the name, that they made a horizontal increase of 300 per cent in the amount of premiums upon this class of bonds—not an absolutely uniform